

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division**

CSX TRANSPORTATION, INC.,)	
individually and on behalf of NORFOLK)	
& PORTSMOUTH BELT LINE)	
RAILROAD COMPANY,)	
)	
<i>Plaintiff,</i>)	
)	
v.)	No. 2:18-cv-530-MSD-LRL
)	
NORFOLK SOUTHERN RAILWAY)	
COMPANY, <i>et al.</i>,)	
)	
<i>Defendants.</i>)	

**NORFOLK SOUTHERN RAILWAY COMPANY’S
MOTION TO FILE DOCUMENTS UNDER SEAL**

Pursuant to Local Civil Rule 5, Defendant Norfolk Southern Railway Company (“NSR”), by counsel, respectfully submits this Motion to Seal portions of the deposition transcript excerpts attached to NSR’s Brief in Opposition to CSX Transportation, Inc.’s (“CSXT”) Motion to Reopen and Compel Depositions because they contain and/or reference information that has been designated as “Confidential” or “Highly Confidential” under the Stipulated Protective Order entered in this matter. ECF No. 79, ¶ 16.

In support of this Motion, NSR submits contemporaneously a nonconfidential Memorandum in Support of Motion to File Documents Under Seal. NSR has also filed herewith a Notice of Filing Sealing Motion as required by Local Rule 5(C). NSR waives oral argument on this motion. A proposed order granting the requested relief is attached as **Exhibit A**.

For the foregoing reasons, NSR respectfully requests that the Court grant its motion to seal and enter the attached proposed Order providing for the sealing of these documents.

Date: August 7, 2020

Respectfully submitted,

NORFOLK SOUTHERN RAILWAY COMPANY

/s/ Michael E. Lacy

Alan D. Wingfield (VSB No. 27489)

Michael E. Lacy (VSB No. 48477)

Massie P. Cooper (VSB No. 82510)

TROUTMAN PEPPER HAMILTON SANDERS, LLP

1001 Haxall Point

Richmond, Virginia 23219

Telephone: (804) 697-1200

Facsimile: (804) 698-6061

Email: alan.wingfield@troutman.com

Email: michael.lacy@troutman.com

Email: massie.cooper@troutman.com

John C. Lynch (VSB No. 39267)

Kathleen M. Knudsen (VSB No. 90845)

TROUTMAN PEPPER HAMILTON SANDERS, LLP

222 Central Park Avenue, Suite 2000

Virginia Beach, VA 23462

Telephone: (757) 687-7759

Facsimile: (757) 687-7510

Email: john.lynch@troutman.com

Email: Kathleen.knudsen@troutman.com

Monica McCarroll (VSB No. 45622)

REDGRAVE LLP

14555 Avion Parkway, Suite 275

Chantilly, VA 20151

Telephone: (703) 592-1155

Facsimile: (703) 230-9859

Email: mmccarroll@redgravellp.com

Counsel for Norfolk Southern Railway Company

CERTIFICATE OF SERVICE

I hereby certify that on August 7, 2020, I electronically filed a copy of the foregoing with the Clerk of Court using the CM/ECF system, which sent a notification of such filing (NEF) to the registered participants as identified on the NEF to receive electronic service, including:

Robert W. McFarland (VSB No. 24021)
Benjamin L. Hatch (VSB No. 70116)
V. Kathleen Dougherty (VSB No. 77294)
MCGUIREWOODS LLP
World Trade Center
101 West Main Street, Suite 9000
Norfolk, Virginia 23510-1655
Telephone: (757) 640-3716
Facsimile: (757) 640-3930
E-mail: rmcfarland@mcguirewoods.com
E-mail: bhatch@mcguirewoods.com
E-mail: vkdougherty@mcguirewoods.com

J. Brent Justus (VSB No. 45525)
Ashley P. Peterson (VSB No. 87904)
MCGUIREWOODS LLP
Gateway Plaza
800 East Canal Street
Richmond, Virginia 23219-3916
Telephone: (804) 775-1000
Facsimile: (804) 698-2026
E-mail: bjustus@mcguirewoods.com
E-mail: apeterson@mcguirewoods.com

Attorneys for CSX Transportation, Inc.

James L. Chapman, IV (VSB No. 21983)
W. Ryan Snow (VSB No. 47423)
Darius K. Davenport (VSB No. 74064)
David C. Hartnett (VSB No. 80452)
CRENSHAW, WARE & MARTIN, P.L.C.
150 W. Main Street, Suite 1500
Norfolk, Virginia 23510
Telephone: (757) 623-3000
Facsimile: (757) 623-5735
E-mail: jchapman@cwm-law.com
E-mail: wrsnow@cwm-law.com
E-mail: ddavenport@cwm-law.com
E-mail: dhartnett@cwm-law.com

*Attorneys for Norfolk and Portsmouth Belt
Line Railroad Company*

/s/ Michael E. Lacy

Michael E. Lacy (VSB No. 48477)